

South Africa, Intruder in Our Country

Toivo Hermann Ja Toivo

Statement by SWAPO member, Accused No. 24, during the trial of South West Africans in Pretoria, 1 February 1968.

My Lord:

We find ourselves here in a foreign country, convicted under laws made by people whom we have always considered as foreigners. We find ourselves tried by a Judge who is not our countryman and who has not shared our background.

When this case started, Counsel tried to show that this court had no jurisdiction to try us. What they had to say was of a technical and legal nature. The reasons may mean little to some of us, but it is the deep feeling of all of us that we should not be tried here in Pretoria.

You, my Lord, decided that you had the right to try us, because your Parliament gave you that right. That ruling has not and could not have changed our feelings. We are Namibians and not South Africans. We do not now, and will not in the future, recognize your right to govern us; to make laws for us in which we had no say; to treat our country as if it were your property and as if you were our masters.

We have always regarded South Africa as an intruder in our country. This is how we have always felt and this is how we feel now, and it is on this basis that we have faced this trial.

I speak of 'we' because I am trying to speak not only for myself, but for others as well, and especially for those of my fellow accused who have not had the benefit of any education. I think also that when I say 'we', the overwhelming majority of non-white people in South West Africa would like to be included.

We are far away from our homes; not a single member of our families has come to visit us, never mind be present at our trial. The Pretoria Gaol, the Police Headquarters at Gompol where we were interrogated and where statements were extracted from us, and this court are all we have seen in Pretoria. We have been cut off from our people and the world. We all wondered whether the headmen would have repeated some of their lies if our people had been present in court to hear them.

The South African Government has again shown its strength by detaining us for as long as it pleased, keeping some of us in solitary confinement for 300 to 400 days and bringing us to the capital to try us. It has shown its strength by passing an act especially for us and having it made retrospective. It has even chosen an ugly name to call us by. One's own are called patriots, or at least rebels; your opponents are called terrorists.

A court can only do justice in political cases if it understand the position of those that it has in front of it. The state has not only wanted to convict us, but also to justify the policy of the South African Government. We will not even try to present the other side of the picture, because we know that a

court that has not suffered in the same way that we have cannot understand us. This is perhaps why it is said that one should be tried by one's equals. We have felt from the very time of our arrest that we were not being tried by our equals but by our masters, and that those who have brought us to trial very often do not even do us the courtesy of calling us by our surnames. Had we been tried by our equals, it would not have been necessary to have any discussion about our grievances. They would have been known to those set to judge us.

It suits the Government of South Africa to say that is ruling South West Africa with the consent of its people. This is not true. Our organization, the South West African People's Organization, is the largest political organization in South West Africa. We considered ourselves a political party. We know that whites do not think of blacks as politicians — only as agitators. Many of our people, through no fault of their own, have had no education at all. This does not mean that they do not know what they want.

A man does not have to be formally educated to know that he wants to live with his family where he wants to live, and not where an official chooses to tell him to live; to move about freely and not require a pass; to earn a decent wage; to be free to work for the person of his choice for as long as he wants; and finally, to be ruled by the people that he wants to be ruled by, and not by those who rule him because they have more guns than he has.

Our grievances are called 'so-called' grievances. We do not believe South Africa is in South West Africa in order to provide facilities and work for non-whites. It is there for its own selfish reasons. For the first forty years it did practically nothing to fulfill its 'sacred trust'. It only concerned itself with the welfare of the whites.

Since 1962 because of the pressure from inside by the non-whites and especially my organization, and because of the limelight placed on our country by the world, South Africa has been trying to do a bit more. It rushed the Bantustan Report so that it would at least have something to say at the World Court.

Only one who is not white and has suffered the way we have can say whether our grievances are real or 'so-called'.

Those of us who have some education, together with our uneducated brethren, have always struggled to get freedom. The idea of our freedom is not liked by South Africa. It has tried in this court to prove through the mouths of a couple of its paid Chiefs and a paid official that SWAPO does not represent the people of South West Africa. If the Government of South Africa were sure that SWAPO did not represent the innermost feelings of the people of South West Africa, it would not have taken the trouble to make it impossible for SWAPO to advocate its peaceful policy.

South African officials want to believe that SWAPO is an irresponsible organization that resorts to the level of telling people not to get vaccinated. As much as white South Africans may want to believe this, this is not SWAPO. We sometimes feel that it is what the Government would like SWAPO to be. It may be true that some member or members of SWAPO

somewhere refused to do this. The reason for such refusal is that some people in our part of the world have lost confidence in the governors of our country and they are not prepared to accept even the good that they are trying to do.

Your Government, my Lord, undertook a very special responsibility when it was awarded the mandate over us after the First World War. It assumed a sacred trust to guide us towards independence and to prepare us to take our place among the nations of the world.

We believe that South Africa has abused that trust because of its belief in racial supremacy (that white people have been chosen by God to rule the world) and apartheid. We believe that for fifty years South Africa has failed to promote the development of our people. Where are our trained men? The wealth of our country has been used to train your people for leadership and the sacred duty of preparing the indigenous people to take their place among the nations of the world has been ignored.

I know of no case in the last twenty years of a parent who did not want his child to go to school if the facilities were available, but even if, as it was said, a small percentage of parents wanted their children to look after cattle, I am sure that South Africa was strong enough to impose its will on this, as it has done in so many other respects. To us it has always seemed that our rulers wanted to keep us backward for their benefit.

1963 for us was to be the year of our freedom. From 1960 it looked as if South Africa could not oppose the world for ever. The world is important to us. In the same way as all laughed in court when they heard that an old man tried to bring down a helicopter with a bow and arrow, we laughed when South Africa said that it would oppose the world. We knew that the world was divided, but as time went on it at least agreed that South Africa had no right to rule us.

I do not claim that it is easy for men of different races to live at peace with one another. I myself had no experience of this in my youth, and at first it surprised me that men of different races could live together in peace. But now I know it to be true and to be something for which we must strive.

The South African Government creates hostility by separating people and emphasizing their differences. We believe that by living together, people will learn to lose their fear of each other. We also believe that this fear which some of the whites have of Africans is based on their desire to be superior and privileged and that when whites see themselves as part of South West Africa, sharing with us all its hopes and troubles, then that fear will disappear. Separation is said to be a natural process. But why, then, is it imposed by force, and why then is it that whites have the superiority?

Headmen are used to oppress us. This is not the first time that foreigners have tried to rule indirectly – we know that only those who are prepared to do what their masters tell them become headmen. Most of those who had some feeling for their people and who wanted independence have been intimidated into accepting the policy from above. Their guns and sticks are used to make people say they support them.

I have come to know that our people cannot expect progress as a gift from

anyone, be it the United Nations or South Africa. Progress is something we shall have to struggle and work for. And I believe that the only way in which we shall be able and fit to secure that progress is to learn from our own experience and mistakes.

Your Lordship emphasized in your judgment the fact that our arms come from communist countries, and also that words commonly used by communists were to be found in our documents. But my Lord, in the documents produced by the state there is another type of language. It appears even more often than the former. Many documents finish up with an appeal to the Almighty to guide us in our struggle for freedom. It is the wish of the South African Government that we should be discredited in the western world. That is why it calls our struggle a communist plot; but this will not be believed by the world. The world knows that we are not interested in ideologies.

We feel that the world as a whole has a special responsibility towards us. This is because the land of our fathers was handed over to South Africa by a world body. It is a divided world, but it is a matter of hope for us that it at least agrees about one thing – that we are entitled to freedom and justice.

Other mandated territories have received their freedom. The judgment of the World Court was a bitter disappointment to us. We felt betrayed and we believed that South Africa would never fulfil its trust. Some felt that we would secure our freedom only by fighting for it. We knew that the power of South Africa is overwhelming, but we also knew that our case is a just one and our situation intolerable – why should we not also receive our freedom?

We are sure that the world's efforts to help us in our plight will continue, whatever South Africans may call us.

We do not expect that independence will end our troubles, but we do believe that our people are entitled – as are all peoples – to rule themselves. It is not really a question of whether South Africa treats us well or badly, but that South West Africa is our country and we wish to be our own masters.

There are some who will say that they are sympathetic with our aims, but that they condemn violence. I would answer that I am not by nature a man of violence and I believe that violence is a sin against God and my fellow men. SWAPO itself was a non-violent organization, but the South African Government is not truly interested in whether opposition is violent or non-violent. It does not wish to hear any opposition to apartheid. Since 1963, SWAPO meetings have been banned. It is true that it is the tribal authorities who have done so, but they work with the South African Government, which has never lifted a finger in favour of political freedom. We have found ourselves voteless in our own country and deprived of the right to meet and state our own political opinions.

Is it surprising that in such times my countrymen have taken up arms? Violence is truly fearsome, but who would not defend his property and himself against a robber? And we believe that South Africa has robbed us of our country.

I have spent my life working in SWAPO, which is an ordinary political party like any other. Suddenly we in SWAPO found that a war situation had

arisen and that our colleagues and South Africa were facing each other on the field of battle. Although I had not been responsible for organizing my people militarily and although I believed we were unwise to fight the might of South Africa while we were so weak, I could not refuse to help them when the time came.

My Lord, you found it necessary to brand me as a coward. During the Second World War, when it became evident that both my country and your country were threatened by the dark clouds of Nazism, I risked my life to defend both of them, wearing a uniform with orange bands on it.

But some of your countrymen, when called to battle to defend civilization, resorted to sabotage against their own fatherland. I volunteered to face German bullets, and as a guard of military installations, both in South West Africa and the Republic, was prepared to be the victim of their sabotage. Today they are our masters and are considered the heroes, and I am called the coward.

When I consider my country, I am proud that my countrymen have taken up arms for their people and I believe that anyone who calls himself a man would not despise them.

In 1964 the ANC and PAC in South Africa were suppressed. This convinced me that we were too weak to face South Africa's force by waging battle. When some of my country's soldiers came back I foresaw the trouble there would be for SWAPO, my people, and me personally. I tried to do what I could to prevent my people from going into the bush. In my attempts I became unpopular with some of my people, but this, too, I was prepared to endure. Decisions of this kind are not easy to make. My loyalty is to my country. My organization could not work properly – it could not even hold meetings.

I had no answer to the question 'Where has your non-violence got us?' Whilst the World Court judgment was pending, I at least had that to fall back on. When we failed, after years of waiting, I had no answer to give to my people.

Even though I did not agree that people should go into the bush, I could not refuse to help them when I knew that they were hungry. I even passed on the request for dynamite. It was not an easy decision. Another man might have been able to say 'I will have nothing to do with that sort of thing'. I was not, and I could not remain a spectator in the struggle of my people for their freedom.

I am a loyal Namibian and I could not betray my people to their enemies. I admit that I decided to assist those who had taken up arms. I know that the struggle will be long and bitter. I also know that my people will wage that struggle, whatever the cost.

Only when we are granted our independence will the struggle stop. Only when our human dignity is restored to us, as equals of the whites, will there be peace between us.

We believe that South Africa has a choice – either to live at peace with us or to subdue us by force. If you choose to crush us and impose your will on

us then you not only betray your trust, but you will live in security for only so long as your power is greater than ours. No South African will live at peace in South West Africa, for each will know that his security is based on force and that without force he will face rejection by the people of South West Africa.

My co-accused and I have suffered. We are not looking forward to our imprisonment. We do not, however, feel that our efforts and sacrifices have been wasted. We believe that human suffering has its effect even on those who impose it. We hope that what has happened will persuade the whites of South Africa that we and the world may be right and they may be wrong. Only when white South Africans realise this and act on it will it be possible for us to stop our struggle for freedom and justice in the land of our birth.